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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/410,332	10/01/1999	EDWARD B. KNUDSON	UV-111	6723

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WALTER M EGBERT III
FISH & NEAVE
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 100201104

EXAMINER

LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/410,332

Applicant(s)

KNUDSON ET AL.

Examiner

Hunter B. Lonsberry

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7, 12-14, 16, 17, 19-26, 28, 33-35, 37, 38, 40-47, 49, 54-57, and 59-61 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,583,560 to Florin in view of U.S. Patent 6,008,803 to Rowe.

Regarding claims 1, 22, 43, and 62, Florin discloses in Figures 1-3 and 22-32, an electronic program guide system, program guide information is transmitted by a cable provider to a set top box from a cable provider 50 (column 10, lines 33-column 11, line 14), programs may be organized into categories and sub categories, and a user may navigate through the displayed category/subcategory combinations and display a list of programs which meet the category criteria (column 17, line 63-column 20, line 16).

Florin does not simultaneously display both the simple categories and the combination categories in the EPG display. Rowe shows in Figure 2, a number of categories 52, and a number of sub categories pertaining to a first category 60, in a window 54, with a number of program entries 56, a user may scroll back and forth to navigate the various category and sub category combinations (column 7, line 17-column 8, line 49).

Therefore it would have been obvious to one skilled in the art at the time of invention to modify Florin to simultaneously display a number of categories and sub categories as

taught by Rowe, thus enabling a user to easily navigate between different category and sub category combinations.

Regarding claims 2, 23, 44, and 63, Florin discloses in Figures 3 and 22-32, an electronic program guide system that organizes programming by subcategory/subcategory, Figure 3b discloses that the category information is transmitted from the headend.

Regarding claims 3, 24, 45, and 64, Florin discloses in Figures 3 and 22-32, an electronic program guide system which organizes programming by hierarchical subcategory/subcategory listings, a user may navigate a general category prior to the sub categories (column 10, lines 33-column 11, line 14).

Regarding claims 4, 25, 46, and 65, Florin discloses in Figures 27-31, displaying only the matching program listings.

Regarding claims 5, 26, 47, and 66, Florin shows in Figure 30, a number of programs which displays matched favorites and marked programs along with non matching listings (column 19, lines 13-34).

Regarding claims 7, 28, 48, and 68, Florin shows in Figure 30, a number of programs which displays matched favorites and marked programs along with non matching listings (column 19, lines 13-34).

Regarding claims 12, 33, 54, and 73, Florin discloses in Figure 31, a frequently view category listing which prioritizes listed content based upon how often a user watches a program (column 19, lines 25-47).

Regarding claims 13,14, 34, 35, 55, 56, 74 and 75, Florin discloses in Figures 30-32 a number of favorite categories, which may be personalized (column 19, line 4—65).

Regarding claims 16 and 37, Florin discloses in Figure 1; that the user equipment is user TV equipment.

Regarding claims 17, 38, 57, and 76, Florin discloses in Figures 3a/b that EPG information is provided by a cable provider (column 10, lines 33-66).

Regarding claims 19, 40, 59, and 78 Florin discloses in Figure 28, Sports category 315.

Regarding claims 20-21, 41-42, 60-61, and 79-80, Florin discloses in Figure 29, a sub category sports: baseball, which has a number of program listings.

Claims 6, 27, 48 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,583,560 to Florin in view of U.S. Patent 6,008,803 to Rowe and in further view of U.S. Patent 5,987,448 to Evans.

Regarding claims 6, 27, 48, and 67, Florin shows in Figure 30, a number of programs which displays matched favorites and marked programs along with non matching listings (column 19, lines 13-34). Florin and Rowe do not disclose the use of a distinctive color for matched programming, but instead uses a check mark (Figure 30). Evans discloses a search engine, which scans documents and highlights search terms in different colors (column 2, lines 19-36, column 5, line 31-column 6, line 31).

Therefore, it would have been obvious to one skilled in the art at the time of invention to

modify Florin and Rowe to use a distinctive color to indicate a match as taught by Evans, thereby allowing a user to readily find programming that matches their interests.

Claims 8-11, 29-32, 50-53, and 69-72, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,583,560 to Florin in view of U.S. Patent 6,008,803 to Rowe in further view of the Bookmark Management article.

Regarding claims 8-11, 29-32, 50-53, and 69-72 Florin shows in Figure 30, a number of programs, which displays matched favorites and marked programs along with non-matching listings (column 19, lines 13-34). Florin and Rowe do not disclose a user rearranging the order of items on a list and deleting a programming category and redisplaying the list. The Bookmark Management article disclose that bookmark entries may be deleted by a user and that a user may re organize them by adding a folder within the menu, naming that folder and then reordering the entries by highlighting them and dragging them into the folder so that a user doesn't have a long unwieldy list of websites. Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Florin and Rowe to allow a user to delete and reorder categories and listings as taught by the Bookmark Management, thereby enabling a user to personalize the program guide and only display content that they are interested in.

Claims 15, 18, 36, 39, 58 and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,583,560 to Florin in view of U.S. Patent 6,008,803 to Rowe in further view of U.S. Patent 6,208,384 to Schultheiss and U.S. Patent 6,437,836 to Huang.

Regarding claims 15, 18, 36, 39, 58, and 77 Florin discloses that the receiver may be a set-top-box with CPU 63, memory 65 and cd-rom 70 (column 9, line 59-column 10, line 20) and that EPG information is provided by a cable provider (Figures 3a/b, column 10, lines 33-66). Florin and Rowe do not disclose that the user equipment is a personal computer or transmitting EPG information via the Internet. Huang discloses that EPG data may be transmitted via the World Wide Web and may be user customized (column 3, lines 13-40). Schultheiss discloses a personal computer with an external interface card 16, which interfaces with a cable system 18a, internet system 18b, and satellite system 18c, a user may view a program guide on a PC and a tuner card is utilized to view a program on the PC (column 5, lines 1-10, column 7, line 51-column 8, line 2). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Florin and Rowe to utilize a personal computer with a tuner card to view EPG information as taught by Schultheiss with the EPG information being transmitted over the internet as taught by Huang, thereby allowing a subscriber without a television to easily navigate programming choices and view them on their PC.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


U.S. Patent 6,177,931-B1 to Alexander: Systems and Methods for Displaying and Recording Control Interface with Television Programs, Video, Advertising Information and Program Scheduling Information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-305-3234. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

HBL


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600